

court, and is, and at all times hereinafter mentioned, was engaged in the operation of a residential care nursing home.

III

Defendant is and, at all times hereinafter mentioned, was engaged in commerce or in an industry or activity affecting commerce and employed 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year and is an employer within the meaning of section 101(4) of the Act.

IV

Since December 2, 2015, Defendant, an employer subject to the provisions of the Act, violated the provisions of section 105(a)(1) of the Act, in that it interfered with, restrained, or denied employees the exercise of rights provided under the Act by failing to provide any FMLA notices of eligibility, rights and responsibilities, and/or designation to some employees and by failing to timely provide these same FMLA notices to other employees.

V

All employees affected by the violations alleged in Paragraph IV herein had made requests for family medical leave. At the time of said requests, all of the employees had been employed by Defendant for at least 12 months and had performed at least 1,250 hours of service with Defendant during the previous twelve-month period. At the time of said requests, each employee had also not taken 12 weeks of leave in a 12-month period and was entitled to leave as provided under section 102(a) of the Act.

VI

WHEREFORE, cause having been shown, Plaintiff prays for judgment against Defendant as follows:

A. For an Order, pursuant to section 107(d), permanently enjoining and restraining Defendant, its officers, agents, servants, employees, successors-in-interest, and those persons in active concert or participation with Defendant, who receive actual notice of such judgment, from prospectively violating the provisions of section 105 of the Act; and

B. For an Order granting such other further legal or equitable relief as may be deemed necessary and appropriate.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **COMPLAINT** has been served on the below-named individual this 17th day of July, 2017, by sending said copy by certified mail, with a courtesy copy by email, to:

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